IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

THURSDAY, THE 25TH OCTOBER 2007 / 3RD KARTHIKA 1929

Crl.Rev.Pet.No. 263 of 2000()

CRA.25/1998 of SESSIONS COURT, THRISSUR
CC.435/1995 of JUDL. MAGISTRATE OF FIRST CLASS COURT-II, THRISSUR

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REVN. PETITIONER:

SUNIL, AGED 35 YEARS,
S/O.CHANDRAN,
MADAMBIKKATTIL HOUSE,
VENGINISSERY DESOM,
PARALAM VILLAGE,
THRISSUR TALUK,
THRISSUR DISTRICT.

BY ADV. SRI.D.ANIL KUMAR
SRI V.GOPAKUMAR

RESPONDENTS:

STATE OF KERALA REPRESENTED BY ITS
PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR, SRI C.K.SURESH

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 25/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON CRL.M.P.NO.1616/2000 IN CRL.R.P.NO.263/2000

DISMISSED.

SD/- K.R.UDAYABHANU, JUDGE

25/10/2007

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K.R.UDAYABHANU, J.

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Crl.R.P.No.263 of 2000

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Dated this the 25th day of October, 2007

O R D E R

The revision petitioner stands convicted with respect to the offences under Sections 279 and 337 of the Indian Penal Code and sentenced to undergo simple imprisonment for one month and to pay a fine of Rs.1,000/- for the offence under Section 279 I.P.C and to undergo simple imprisonment for one month and to pay a fine of Rs.500/- for the offence under Section 337 I.P.C and the default clause is to undergo simple imprisonment for 15 days in each cases. He is disqualified from driving the vehicle for one year.

2. The prosecution case is that on 12/08/1993 at about 10.30 a.m the accused being the driver of bus bearing Registration No.KL.8/C.900 drove the same along the Thrissur-Kunnamkulam public road from west to east in a rash and negligent manner so as to endanger human life and caused to hit on the rear side of a Maruthi car bearing Reg.No.KER.3717 that resulted in injuries to the passengers in the car.

3. The counsel for the revision petitioner has only pleaded for leniency so far as the sentence is concerned pointing out that more than 14 years have lapsed since the commencement of the proceedings and so far the accused was facing the ordeal of criminal proceedings. In the circumstances and considering the fact that the injuries sustained are only minor in nature, the sentence imposed for the offence under Section 279 I.P.C is modified to pay a fine of Rs.1,000/- and in default to undergo simple imprisonment for two weeks and, to pay a fine of Rs.500/- and in default to undergo simple imprisonment for one week for the offence under Section 337 I.P.C. The criminal revision petition is disposed of as above.

Sd/-
K.R.UDAYABHANU,
Judge

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